

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
CIVIL ACTION NO.: 5:22-cv-00068-BO

YOLANDA IRVING, individually and as the)
natural parent and guardian of JALEN IRVING,)
JUWAN HARRINGTON, CYDNEEA)
HARRINGTON, KENYA WALTON,)
individually and as the natural parent and)
guardian of ROBERT WHITLEY, ZIYEL)
WHITLEY, DYAMOND WHITLEY,)
KAMISHA WHITLEY, and NANETTA)
GRANT as the natural parent and guardian of)
ZIQUIS GRANT,)

Plaintiffs,)

vs.)

THE CITY OF RALEIGH, Officer OMAR I.)
ABDULLAH, Sergeant WILLIAM ROLFE,)
Officer RISHAR PIERRE MONROE, Officer)
JULIEN DAVID RATTELADE, and Officer)
MEGHAN CAROLINE GAY, and JOHN and)
JANE DOE Officers 1-10, in their individual)
capacities,)

Defendants.)

ORDER

Pursuant to Defendants' partial motion to dismiss pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure (DE 34), this court, after considering the pleadings, arguments, and the relevant authority submitted by all parties, hereby GRANTS the motion. It is hereby ORDERED that Count Five Plaintiffs' Complaint (DE 1 and DE 2) titled "Civil Conspiracy" is hereby DISMISSED WITH PREJUDICE as to Defendants Monroe, Rattelade and Gay.

This the ____ day of _____, 2022.

The Hon. Terrence W. Boyle
United States District Court Judge